



Proposed changes to the Chapter 5 animal ordinance

Governing holding periods, caretaker status and sterilization requirements for impounded animals

Crossed-out wording would be removed; Underlined wording would be added.

Sec. 5-2. - Animal care services facility; erection, maintenance, care of animals; euthanasia service.

- (a) There shall be erected and maintained, under the supervision of the director, a suitable building and kennels, to be known as the animal care services facility, for the confinement of all animals seized, impounded or surrendered pursuant to the provisions of this chapter. The animal care services facility shall be kept in a sanitary condition, and all animals taken up and impounded therein shall be properly fed and provided water. All animals shall be treated in a humane manner while under the custody of the department, who shall be considered the caretaker of each animal upon impoundment regardless of whether the department owns the animal.
- (b) Upon payment of the applicable fee, if any, the animal care services facility will provide euthanasia of dogs, cats, and other small animals upon the signed request of an owner who resides within the city and residents of unincorporated Bexar County as long as the city and county maintain a joint animal control program through contractual agreement.
- (c) The sale of live animals from the animal care services facility for research and pound seizures is prohibited.

Sec. 5-156. – Return of captured animal to owner.

- (a) In addition to the issuance of a citation, the animal care officer may return an animal found at large to the known owner in lieu of impounding the animal.
- (b) The owner may redeem an impounded animal during normal business hours by paying the impoundment fee, sterilization fees if any, boarding fees, and the pre-release rabies vaccination fee if required by law for the subject species and proof of valid current vaccination cannot be produced.
- (c) Upon ~~On the first~~ impound; of an intact dog or cat found at large, the department shall conditionally release the dog or cat with the requirement that ~~require the owner to enter into an agreement to~~ sterilize the dog or cat within thirty (30) days from the date of the conditional release. ~~before releasing it back to its owner, unless the owner possesses or obtains a valid intact dog license for the dog.~~ The following shall be exempt from this requirement: a dog or cat that qualifies for a certified medical exception from a city veterinarian, a dog or cat that is an exhibition or competition animal, or a dog that is a police or military service dog. Owners of exhibition or competition animals and police or military service dogs shall provide proof to the director or his designee. ~~If an owner enters into a sterilization agreement, the~~ The owner shall provide proof of sterilization of the dog or cat to the department within thirty (30) days from the date of the conditional release. ~~agreement.~~
- (d) It shall be unlawful for anyone to whom an animal has been conditionally released under this section to fail to have the animal sterilized and provide proof of sterilization to the department within thirty (30) days from the date of the conditional release.
- ~~(d) On the second impound of a dog found at large, the intact dog license shall be revoked if applicable, and the owner shall agree to sterilize the dog, unless the dog qualifies for a certified medical exception from a city~~

~~veterinarian, the dog is an exhibition or competition dog, or the dog is a police or military service dog. Owners of exhibition or competition dogs and police or military service dogs shall provide proof to the director or his designee. Under the sterilization agreement, the owner shall provide proof of sterilization of the dog to the department within thirty (30) days from the date of the agreement.~~

~~(e) On the second impound of an intact cat found at large, the department shall sterilize the cat prior to releasing it back to its owner at the owner's expense, or require the owner of an intact cat to enter into an agreement to sterilize the cat before releasing it back to its owner, unless the cat qualifies for a certified medical exception from a city veterinarian, or the cat is an exhibition or competition cat. Owners of exhibition or competition cats shall provide proof to the director or his designee. If an owner enters into a sterilization agreement, the owner shall provide proof of sterilization of the cat to the department within thirty (30) days from the date of the agreement.~~

Sec. 5-158. - Minimum time animals impounded; euthanasia authorized; exceptions to minimum time.

(a) Hold period for all impounded animals. Impounded animals dogs and cats shall be held kept for not fewer than seventy two (72) hours for owner reclaim three (3) days, excluding the day the animal is impounded and any days the animal care services facility is not opened, and thereafter shall be subject to adoption, rescue, or foster or humanely euthanized at the discretion of the director thereafter. The time of impoundment shall start when the animal is delivered to the animal care services facility.

(b) Euthanasia of impounded animals. Impounded animals shall be held for not fewer than three (3) days excluding the day the animal is impounded and any days the animal care services facility is not opened, and thereafter shall be subject to being humanely euthanized at the discretion of the director.

(c) Exceptions to seventy two (72) hour hold period. Animals may be subject to adoption, rescue, foster or humanely euthanized prior to the seventy two (72) hour period specified above under the following circumstances:

(1) In the case of owned animals, the city may dispose of any unclaimed animal before this three-day period if the The owner of the animal releases ownership of the animal to the city.

(2) If any impounded animal is determined by a licensed veterinarian or designee determines that an impounded animal is to be suffering from disease or injury such that the animal is in pain or is beyond reasonable medical help, the animal may be euthanized immediately. In such a case, holding times otherwise specified in this Code will not apply.

(3) Due to their immature immune system, any abandoned animal under four (4) months of age shall immediately become the property of the city, upon delivery to the animal care services facility for humane disposition, and may be subsequently offered for adoption or humanely euthanized at the discretion of the director.

Sec. 5-159. - Unclaimed animals.

(a) Any animal not claimed by its owner within the above stated seventy two (72) hours three (3) days shall become the property of the city. Unless otherwise stated herein, the animal and shall be subject to adoption, rescue, foster or humanely euthanized at the discretion of the director in accordance with the provisions of section 5-158. The selection of an animal for adoption or rescue during the reclamation period or thereafter shall not confer any ownership right or right of possession to the animal.

(b) The director may sell unclaimed livestock found running free of restraint by public auction to the highest bidder for cash after notice of the auction is posted on a public bulletin board where other public notices are posted for the city.